#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re A	pplication of:	)	
		:	Examiner: R. Stevens
BERT	RAND BERTHELOT, et al.	)	
		:	Group Art Unit: 2162
Applic	ation No.: 09/942,569	)	
		;	Confirmation No. 9399
Filed:	August 31, 2001	)	
		:	
For:	METHOD AND DEVICE FOR	)	
	ADAPTING THE CONTENT OF	:	
	DOCUMENTS ON AN	)	
	INFORMATION SERVER	•	December 22, 2008

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-145

#### PETITION TO WITHDRAW ABANDONMENT DUE TO NON-RECEIPT OF OFFICE ACTION AND REQUEST FOR RE-MAILING OF OFFICE ACTION

Sir:

Applicant has received a Notice of Abandonment dated November 21, 2008 indicating that the above application became abandoned because no response has been filed to an Office Action allegedly mailed by the Patent Office on April 16, 2008. For the reasons that follow, Applicant requests that the Notice of Abandonment be withdrawn and that the Office Action be re-mailed.

The Notice indicates that a Final Office Action was mailed by the Office on April 16, 2008. However, the foregoing Office Action was not received by Applicant's attorneys. As per the firm's usual procedure for Patent Office correspondence in which a response is due, had the Office Action been received, it would have been docketed on the

firm's Master Docket with a response due date of July 16, 2008. The firm's Master Docket

is part of a computer program supplied by Computer Patent Annuities (CPA) and in

particular, the firm utilizes CPA's CPA Inprotech program to manage its docket of due

dates for Patent Office responses. This system was sufficiently reliable, and as evidence

thereof, a copy of the Applicant's attorneys' Master Docket for July 16, 2008 where a

response to the Office Action would have been entered had the Office Action been

received is attached. See MPEP 711.03(c)(I)(A).

In view of the foregoing, Applicants request that the holding of

abandonment be withdrawn and that the April 16, 2008 Office Action be re-mailed. While

it is believed that no fee is necessary for this Petition, should a fee be required, the Director

is hereby authorized to charge any such fee to Deposit Account No. 50-3939.

Applicants' undersigned attorney may be reached in our Costa Mesa,

California office by telephone at (714) 540-8700. All correspondence should continue to

be directed to our address given below.

Respectfully submitted,

/Edward Kmett/

Edward A. Kmett

Attorney for Applicants

Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza

New York, New York 10112-3800

Facsimile: (212) 218-2200

FCHS WS 2712794v1

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Print: 7/9/2008 2:41:09 P  Due Date Docket Number Attorney Action  Application No  7/16/2008  03129.003400.PC  Wu, Mody H.  Remarks  Notification concerning availability or the international application dated 12/27/07, docketing received 1/16/08;  Attion Application  Action  Action  Action  Action  Action  Action  Application No  7/16/2008  Action initial deadline  Application No  7/16/2008  Action initial deadline  14/376213  Remarks			THE WAY A STATE OF THE PARTY OF	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
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	Application No	11/719489 DECL;	- 11/562540	71/209026	12/104032	ne 11/398586	ine 10/954612	11/080413	11/678878
	Action	Wannisk, William M. Power of attorney due to be filed IPT 051807 - Letter re: Errors; IPT 072007 - error in electronic ack rcpt; IPT 100207 - DECL;	Wannisky, William M. Un + 16 19 3 month Office Action initial deadline	Issue/Publication Fees.Due in 2 months	Priority documents still required	3 month Office Action initial deadline	TNAL Anomal Office Action initia	Priority documents still required	Issue/Publication Fees Due in 2 months
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Print: 7/9/2008 2:41:09 P	Docket Number	00684.134819. decl w/surcharge due; I	01306.123038. ids recd w/appln;	03500.124025. PTA=236; IPT 070808	03500.153569.	00862.108828.	03129.000200.6 1.53B CONT, PARENT	03500.109540. FLOPPY RCD W/APL	03588.000116. Wi (use DHL, not SWS); PTA=51;
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Page 8	Application No	474638	1D/483486 TLCPY 032405 -	11/057843	11/858451	11/626209	PCT/US07/01748 ived 8/13/07; ceived 12/15/07; a. PCT/US06/045950 lotification concerning
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Page 6	Application No	22876 om (Marisol A)	659	659	1120	916	507	526 498	
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Page 4	Attorney Q (C (a Action ) A (C ) Application No	500. Okina, Loonard P. O. C. S. Broath Office Action initial deadline 11/394998	·	3	FLOPPY RCD 020204; FLOPPY RCD 020204; FLOPPY RCD 020204; SX ( h 8/16/4 n mitial doubline	· ·	03292,100009. Errguson, Christopher W. FINAL 3 month Office Action initial deadlibe 19/800413 (MPS/LMS) (FORMER REF.035291-000016)	(CC+++ 1) 1- 45	M. Per Ren 1 2:3.68 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	4-12-2004
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Page 3	Application No	60/951318	AMI-JAIL	<del>10/6499</del> 57 <u>1</u> 0/647273	<del>10/64</del> 7273	11/415071	12/014885	12/014838
90C000 01 000 / A III	Action	Foreign-Filing Deadline—!-Week Reminder60/951318	Provide Potential Deadline - 1 Week Reminder    166	month Office Action initial deadline  Ful Est 7/16/8 tatement: Interview Due	e-Aublication Fees-Duc-in-2 months	FINAL. 3. month Office Action initial deadline 11/415071	Priority documents still required	Priority documents still required
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4	1.53B DIV - PAR TO ISSUE; IPT 063008 - INSTR;	7 / 6/8 3 month Office Action initial deadline	+1/082641
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